

Office of the Secretary of Defense

§ 392.3

(a) Issue DoD Instructions and one-time directive-type memoranda, consistent with DoD 5025.1-M that implement policies approved by the Secretary or Deputy Secretary of Defense in the functions assigned to the DA&M. Instructions to the Military Departments shall be issued through the Secretaries of those Departments, or their designees. Instructions to Unified and Specified Commands shall be issued through the Chairman, Joint Chiefs of Staff (CJCS).

(b) Obtain reports, information, advice, and assistance, consistent with DoD Directive 7750.5, in carrying out assigned functions, as necessary.

(c) Communicate directly with the heads of the DoD Components. Communications to the Commanders of Unified and Specified Commands shall be coordinated with the CJCS.

(d) Establish arrangements for DoD participation in non-defense governmental programs for which the DA&M is assigned primary staff cognizance.

(e) Communicate with other Government Agencies, representatives of the legislative branch, and members of the public, as appropriate, in carrying out assigned functions.

(f) Act for the Secretary of Defense before the Joint Committee on Printing, the Public Printer, and the Director of the Office of Management and Budget on all matters relating to printing, binding, and publications requirements, consistent with 44 U.S.C. chapter 11.

§ 391.6 Effective date.

This part is effective May 24, 1988.

PART 392—DIRECTOR OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

Sec.

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AUTHORITY: 10 U.S.C. 133

SOURCE: 54 FR 13381, Apr. 3, 1989, unless otherwise noted.

§ 392.1 Purpose.

This part:

(a) Implements 15 U.S.C. 644(k) that establishes the position of Director of Small and Disadvantaged Business Utilization (Director, SADBU) under the direction, authority, and control of the Under Secretary of Defense (Acquisition) (USD(A)).

(b) Assigns responsibilities, functions, relationships, and authorities, as prescribed herein, to the Director, SADBU, pursuant to the authority vested in the Secretary of Defense under section 10 U.S.C. 113.

§ 392.2 Definition.

DoD Components. The Office of the Secretary of Defense (OSD), the Military Departments, the Joint Chiefs of Staff (JCS), the Joint Staff, the Unified and Specified Commands, the Defense Agencies, and the DoD Field Activities.

§ 392.3 Responsibilities.

The *Director of Small and Disadvantaged Business Utilization* shall serve as the principal staff assistant and advisor to the USD(A) for ensuring that a fair share of goods and services procured by the Department of Defense is acquired from small, small disadvantaged, and women-owned small businesses. In this capacity, the Director, SADBU, shall:

(a) Implement and execute the functions and duties assigned by 15 U.S.C. 636 and 644, as they relate to the Department of Defense.

(b) Conduct analyses, develop policies, provide advice, make recommendations, and issue guidance on DoD plans, programs, and requirements.

(c) Develop plans, programs, procedures, goals, and objectives, and initiate actions and taskings to ensure adherence to DoD policies.

(d) Develop systems and standards for the administration of approved policies, plans, and programs.

(e) Conduct reviews (including compliance reviews of DoD Components and major prime contractors) and evaluate programs to ensure adherence to approved policies and standards.

(f) Participate in the Planning, Programming, and Budgeting System

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(PPBS) and the Defense Acquisition System, and in development of the Federal Acquisition Regulation (FAR) and the Defense Federal Acquisition Regulation Supplement (DFARS).

(g) Keep appropriate organizations and officials informed of significant trends or initiatives.

(h) Promote coordination, cooperation, and mutual understanding within the Department of Defense and between the Department of Defense, congressional committees, other Government Agencies, and the public.

(i) Serve on boards, committees, and other groups and represent the Secretary of Defense and USD(A) outside the Department of Defense.

(j) Perform other duties as the Secretary of Defense and the USD(A) may prescribe.

§ 392.4 Functions.

The Director, SADB, shall carry out the responsibilities in § 392.3 for the following functional areas:

(a) Prime contracts, subcontracts, and research and development contracts for small, small disadvantaged, and women-owned small businesses.

(b) Labor Surplus Area Program.

(c) Historically Black Colleges and Universities and Minority Institutions.

(d) Small and Disadvantaged Business Subcontracting Program.

(e) Small Business Research and Development Program, to include the Small Business Innovation Research Program.

(f) Blind and Other Severely Handicapped Program.

(g) Procurement Technical Assistance Program.

(h) Small Business Set Aside Program.

(i) Small Disadvantaged Business Development Program.

(j) DoD procurement outreach publications.

(k) Programs in support of Area Small Business Councils; Federal procurement conferences sponsored by members of Congress in their constituencies; economic development entities of States, counties, and municipalities; and industry trade associations promoting the growth of small businesses, small disadvantaged businesses, and women-owned small businesses.

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§ 392.5 Relationships.

(a) In the performance of the above functions, the Director, SADB, shall:

(1) Coordinate and exchange information with officials of other DoD Components having collateral or related functions.

(2) Use existing systems, facilities, and services of the Department of Defense and other Federal Agencies, whenever practicable, to achieve maximum efficiency and economy.

(3) Operate a Central Procurement Information Office for the Department of Defense.

(b) Other OSD officials and the Heads of DoD Components shall coordinate with the Director, SADB, on all matters related to the functions in § 392.4.

§ 392.6 Authorities.

The Director, SADB, is hereby delegated authority to:

(a) Issue DoD Instructions, DoD publications, and one-time directive-type memoranda, consistent with DoD 5025.1-M, that implement policies approved by the Secretary of Defense in the functions assigned to the Director, SADB. Instructions to the Military Departments shall be issued through the Secretaries of those Departments, or their designees. Instructions to Unified and Specified Commands shall be issued through the Chairman, JCS (CJCS).

(b) As authorized by Section 15 U.S.C. 644(k)(4), exercise supervisory authority over DoD personnel to the extent that their functions and duties relate to the functions and duties assigned to the Director, SADB, by 15 U.S.C. Sections 637 and 644.

(c) Assign small business technical advisers to the DoD Components in accordance with 15 U.S.C. Section 644(k)(6).

(d) Obtain reports, information, advice, and assistance, consistent with DoD Directive 7750.5, as necessary, in carrying out assigned functions.

(e) Communicate directly with the Heads of the DoD Components. Communication to Commanders of the Unified and Specified Commands shall be coordinated with the CJCS.